

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

LARRY D. THOMAS,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.: 02:05-CV-437-WKW
)	
R. JAMES NICHOLSON,)	
SECRETARY, DEPARTMENT OF)	
VETERANS AFFAIRS,)	
)	
Defendant.)	

MOTION TO SUBSTITUTE

Comes now the defendant, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully requests that it be allowed to substitute the attached signature pages for those previously filed with Defendant's Exhibit 2 and Attachment A that were previously filed with the defendant's Motion to Dismiss, or in the Alternative, for Summary Judgment, and as grounds state as follows:

1. Due to computer problems at CAVHCS, William Greer and Mark D. Kuehndorf were unable to transmit the signed copies of their declarations to the undersigned in time for same to be filed with the aforementioned motion which was filed on October 11, 2006.
2. Attached hereto are the executed signature pages of each witness's declaration.

WHEREFORE, premises considered, it is respectfully requested that the attached signature pages be substituted for the unsigned ones previously filed in this cause.

Respectfully submitted this the 11th day of October, 2006.

LEURA G. CANARY
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to Plaintiff as follows:

Mr. Larry D. Thomas, pro se
3327 Lunceford St.
Montgomery, AL 36108

s/R. Randolph Neeley
Assistant United States Attorney